## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Atty. Docket

MARK J.W. MERTENS ET AL. PHNL 021458

SERIAL NO.: 10/535,298 GROUP ART UNIT: 2614

FILED: May 17, 2005 EXAMINER: P. Lee

CONFIRMATION NO.: 5801

AUDIO BASED DATA REPRESENTATION APPARATUS AND METHOD

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

## AMENDMENT UNDER 37 C.F.R. 1.116

in response to the Office Action mailed October 9, 2009, please amend the above-identified application as follows: